

EXHIBIT 4

Highly Confidential - Marc Edwards, Ph.D.

1 UNITED STATES DISTRICT COURT
2 EASTERN DISTRICT OF MICHIGAN
3 SOUTHERN DIVISION
4

5 -----) Civil Action No.:
6 IN RE: FLINT WATER CASES) 5:16-cv-10444-JEL-MKM
7) (consolidated)
8)
9) Hon. Judith E. Levy
10 -----) Mag. Mona K. Majzoub
11

12 HIGHLY CONFIDENTIAL
13 VIDEOTAPED DEPOSITION OF MARC EDWARDS, PH.D.
14

15 FRIDAY, AUGUST 7, 2020

16 Volume 1
17

18 Remote oral deposition of MARC EDWARDS, PH.D.,
19 conducted at the location of the witness in
20 Blacksburg, Virginia, commencing at approximately 9:06
21 a.m., on the above date, before JULIANA F. ZAJICEK, a
22 Registered Professional Reporter, Certified Shorthand
23 Reporter, Certified Realtime Reporter and Notary
24 Public.

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1 A. No, no. I -- I would say -- I don't know
2 what the detection limit of their method was and I
3 just -- I don't know how they were selecting their
4 homes and so I would -- and I would never say it's
5 zero anyway, because it's not zero. You know, you've
6 got to manage expectations.

7 So if your detection limit is 5, then you
8 are saying it is undetectable, but that doesn't mean
9 it is zero. You know, it is below -- it is below the
10 detection limit of whatever method you are using.

11 Q. It is just scientifically implausible that
12 but for the -- the decisions that were made about
13 treating the Flint River water, the lead levels would
14 have been zero?

15 A. Yeah, there is just -- there is no way
16 with that system that it -- it's plausible if the
17 detection limit was 5 of the instrument they used, but
18 if they would have used an instrument that had a
19 detection limit of 1 or .1 as ours does, there is just
20 no way it's below detection. I mean, there is just
21 too much lead in that system, and we saw what happened
22 in Detroit.

23 So I would have expected very similar or
24 slightly worse results in Flint than in Detroit as the

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1 quantum leap.

2 But jumping forward, you -- if I heard you
3 right, you felt sometime between May and June of 2016
4 that the water was relatively safe, you won't say
5 safe, you used the word "relatively safe," and you
6 compare that to other cities that it was relatively
7 safe.

8 Is that correct?

9 A. 2017, some years after.

10 Q. 2016 -- 2016?

11 A. No, I don't think I said -- I mean,
12 relatively -- maybe with a filter. Maybe for bathing.
13 I don't think I said that for lead.

14 But anyway, I -- I always provide context,
15 so I'd be very curious about if you are citing a
16 statement I said it was relatively safe in 2016
17 exactly what I said.

18 Q. I thought you said that.

19 But how was -- how -- was there a point in
20 time that you did make a statement that it was
21 relatively safe to drink the water?

22 A. With the caveats that if you use a lead
23 filter appropriately, I'm -- I'm certain I said that.
24 Yeah, that was -- that was probably very --

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1 it -- it is a legitimate LCR sampling protocol. This
2 is not an LCR sampling, though, because we couldn't do
3 the -- confirm the 50 percent homes without lead pipes
4 and we are not a certified lab, et cetera.

5 Q. The detection limits for the analysis that
6 were performed on the water that was collected in that
7 August sampling event, do you know what the detection
8 limits were?

9 A. For lead it was probably .1 ppb or less.

10 Q. Okay. What type of sampling -- or -- or I
11 should say laboratory analysis was performed to have a
12 detection level that low?

13 A. It's called an inductively coupled plasma
14 mass spectrometer, ICP-MS.

15 Q. Okay. I'm not going to try to say that
16 five times fast.

17 A. I couldn't say it again either, so. Let's
18 just say ICP-MS from henceforth.

19 Q. Okay. Is that considered a -- a
20 state-of-the-art laboratory analysis for purposes of
21 analyzing lead content in water?

22 A. Yes, and we are -- I have a research
23 scientist who I fund who runs the instrument. He is
24 published on lead analytical procedures in

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24	MARC EDWARDS, PH.D.